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August 20, 2008

MEMO ENDORSED

By Facsimile: (212) 805-7919

Honorable Leonard B. Sand
 United States District Court for the
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 Room 1650
 New York, New York 10007

 USDS SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 8-20-08

 Re: *Erth Diamonds, Inc. et al. v. TPC L.L.C. et al.*
Case No. 08 cv 6594 (LBS) (ECF Case)

Dear Judge Sand:

We are in the process of being retained as local counsel to defendants Thomas O. Parker, Wiley Morgan and Choice Diamonds ("Defendants") in the above referenced action, and respectfully submit this request to extend such parties' time to submit their answer to or otherwise move against Erth Diamonds, Inc. and Shah Diamonds, Inc.'s ("Plaintiffs") Complaint in this action to Monday, September 15, 2008.

Because we are still in the process of being retained (having only been contacted yesterday, Tuesday, August 19, 2008), we make this emergency request by facsimile as per the instructions of Your Honor's Chambers. The original date for Defendants to answer and/or otherwise move against the Complaint was Thursday, August 21, 2008. This is Defendants' first request for an extension, to which counsel for Plaintiffs has consented to. No other dates have been scheduled in this matter.

Of course, we remain available should the Court have any questions or comments with regard to the foregoing.

Respectfully,

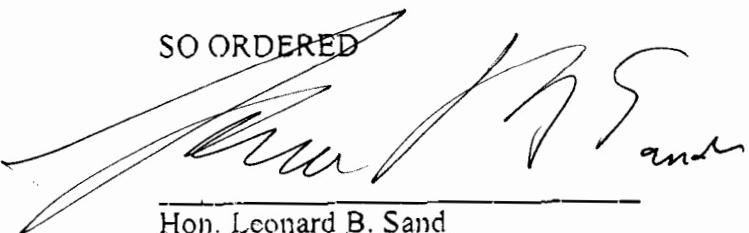
Benjamin Suess (BS-0354)

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Honorable Leonard B. Sand
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SO ORDERED

Dated: 8/20/08


Hon. Leonard B. Sand

BWS:ms

cc: Christopher B. Turcotte, Esq.
Edmund J. Novotny, Esq. (by e-mail)
Jonathan Green, Esq. (by e-mail)

MEMO ENDORSED